

antiterrorism legislation because of the work of the House.

Senator DASCHLE has been exceptionally supportive, as have Senator HATCH and Senator LEAHY. The Senate is united on this matter. The Senate has agreed in its entirety. For reasons that are inexplicable to this Member of the Senate, the House has been unwilling to untie the hands of Federal prosecutors in my home State.

The question then is: Why should every Senator care about what is happening in the State of Oregon? The reason I feel so strongly about this is that if we learned one thing on September 11, it is that if the terrorists get sanctuary anywhere, Americans are in trouble everywhere because we saw on September 11 the terrorists set up shop in New Jersey, they set up shop in Florida, and they ended up murdering Americans in New York City and in the Pentagon and in Pennsylvania.

As a result of the work that was done on the foreign operations appropriations legislation, again, to the credit of Senator DASCHLE, Senator LEAHY, and Senator SMITH, Senator LEAHY added the original bill that I authored. Senator SMITH and I have teamed up on this, and it is now in the foreign operations appropriations legislation that passed this body.

What is different tonight and why I am not objecting is that the White House has now indicated for the first time that they will support in the foreign operations appropriations legislation what Senator SMITH and I have crafted.

We have also been able to, in discussions with Senator DASCHLE, have an opportunity to let him discuss his views on it. He has renewed his commitment to me that we will have the united support of the Senate on the foreign operations appropriations bill, and if, in fact, the House junks this on the foreign operations appropriations bill in spite of the administration's effort, Senator DASCHLE, to his credit, has renewed his support for this effort and has been kind enough to give me this time to state my reservation.

I would like to have him briefly describe his views on this matter.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Madam President, I say to both my colleagues from Oregon how much we appreciate their extraordinary efforts. I do not know of many pieces of legislation that pass unanimously not once but twice, and not only twice but within a matter of weeks. But that is the case.

This legislation passed unanimously as an amendment to the counterterrorism bill. This amendment has just now been passed unanimously as part of the foreign operations appropriations bill. That would not have happened were it not for their tenacity and their decisive leadership. I am grateful to them, first of all, for their willingness to continue to pursue this effort until they are successful.

I was involved in these discussions and negotiations with our colleagues from the House as we negotiated the various pieces. There were various reasons this legislation was not kept as part of the counterterrorism legislation, but I will tell my colleagues what I have said publicly: We will continue to pursue this; we will continue to persist until this becomes law.

As the Senator from Oregon has noted, the White House indicated they are prepared to join us in that effort. With that additional assistance, with those assurances, we are in a much stronger position now than we have been at any time in recent months to ensure our success. But if for whatever reason we are not successful, this will come back again and again, and we will continue to send it to the House again and again until it is done successfully.

I am confident we will complete our work successfully on this amendment. I am confident that with their partnership and the effort they have already made, we will be successful. I will pledge my support, and I know Senator LEAHY feels every bit as strongly as I do. We will work in concert with them to ensure the maximum level of success as we go into conference on the foreign operations appropriations bill.

The PRESIDING OFFICER. Is there objection?

Mr. SMITH of Oregon. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SMITH of Oregon. Madam President, I say to the majority leader, I will not object, but I want to be included in the colloquy and be entirely supportive of my colleague, Senator WYDEN. I want to state publicly for the record, Senator WYDEN and I began working on this issue together in great earnest this last weekend because it was apparent that the good bill we had passed to the House was coming back as something less than that bill.

Because of the unique circumstances described by Senator WYDEN, every American should know that the bill we are about to pass tomorrow puts a stake in Oregon that says Oregon is open for business to terrorism. That is a stake we want to pull out because right now no undercover work is going on in Oregon for a whole variety of unusual reasons. That is where it is, and that must be fixed, or every American should know that the bill we will pass tomorrow is an illusion until it includes all 50 States.

In my State, whether it is environmental terrorism, child pornography, drug runners, methamphetamine producers, or al-Qaida terrorist groups, they are finding aid and comfort from the absence of law enforcement when it comes to undercover activities. That must end or we are kidding the American people.

I thank the majority leader for his commitment. I thank Senator LOTT and the managers of this bill for their commitment, and I say for the record,

I have the assurances of Carl Rove with the White House, John Ashcroft in Justice, and I am awaiting a call from the Speaker of the House to work in earnest to get this resolved quickly so that we can in good faith face the American people and say: We have passed a terrorism bill that includes all Americans. But right now, it does not include Oregonians.

I yield to my colleagues.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, if I may continue briefly on my reservation, Senator SMITH has summed it up very well. At this point in the State of Oregon, there are no wiretaps; there are no sting operations; you cannot infiltrate dangerous criminal groups no matter how dastardly their plans. We are not talking about some kind of abstract proposition.

The bill that is going to be passed tomorrow is essentially a bill that deals with terrorism in 49 States. As I say, it just seems to me once you allow a sanctuary, a launch pad for terrorist groups anywhere, everyone is at risk. What is different tonight is we have been able to secure a commitment from the White House.

The majority leader, as is his tradition, has worked very closely with me and has made a similar commitment to Senator Smith, and tonight—and I will say this is very hard for this Member of the Senate to do because I think the people of my home State are going to be at risk tonight—but because of the commitment we have secured from the majority leader—and it is a renewed commitment; again and again he has been in these meetings fighting to change the McDade law and give our prosecutors the tools to deal with this problem.

With the new commitment tonight from the White House and with the continued commitment and assurance of the majority leader tonight, I withdraw my reservation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. Madam President, I thank both of my colleagues from Oregon for their willingness to work with us. I have already said how strongly I feel about this matter, and the passion expressed by both Senators from Oregon I think is a clear indication of their determination to see this through to ultimate success. We will see success. I am grateful to them tonight.

UNANIMOUS CONSENT
AGREEMENT—H.R. 2330

Mr. DASCHLE. Madam President, I ask unanimous consent that upon disposition of H.R. 3162, the Appropriations Committee be discharged from consideration of H.R. 2330, the Agriculture appropriations bill; that the Senate then proceed to its consideration; that immediately after the bill is reported, the majority manager, or his designee, be recognized to offer the